

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

BRENDA A. HUTCHINS,  
DEWAYNE HUTCHINS AND  
LUCKY DOG INSTANT CREDIT, LLC

v.

3 PICKWICK, LLC, A WHOLLY OWNED  
SUBSIDIARY OF SAGECREST II, LLC,  
ALSO KNOWN AS THREE PICKWICK, LLC

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Civil No. 6:08-cv-00060

AFFIDAVIT OF MARK A. DAVIS

THE STATE OF TEXAS

§

COUNTY OF VICTORIA

§

Before me, the undersigned notary, on this day, personally appeared Mark A. Davis, who stated under Oath as follows:

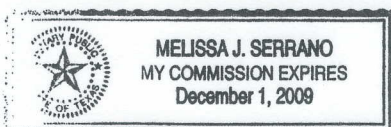
"I am the attorney of record for the Plaintiffs in the above titled lawsuit. I am a Partner in the law firm of Rogers | Davis | Hrach. I became a partner in this law firm on October 17, 2008. One of the Partners in the law firm is Brian W. Rogers. Brian W. Rogers is former counsel for Plaintiffs and Defendants. Mr. Rogers will likely be a fact witness in this case. Accordingly, I am prohibited by the Texas Rules of Ethics from continuing to represent the Plaintiffs in this case. As a professional courtesy to Defendant's counsel I have attempted to resolve the outstanding discovery issues that are currently before the court prior to filing this Motion to Withdraw. This withdrawal is not being sought for any other purpose than to adhere to the undersigned professional responsibilities. The facts as stated in the Motion to Withdraw are true and correct."

Further Affiant Sayeth not.

Mark A. Davis

Mark A Davis, Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 16<sup>th</sup> day of December, 2008, to certify which witness my hand and seal of office.



Melissa J. Serrano

Notary Public, The State of Texas